

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

MARÍA ALSINA ORTIZ, ET. AL.	*	CIVIL NO. 98-1893 (JAG)
AND/OR THE ESTATE OF MR.	*	
ORLANDO OCASIO ALSINA	*	
COMPOSE OF MARÍA ALSINA	*	
ORTIZ	*	
	*	PLAINTIFFS DEMAND TRIAL
PLAINTIFFS	*	
	*	BY JURY
VS.	*	
	*	
MS. ZOE LABOY IN HER PERSONAL	*	
CAPACITY, JOHN DOE IN	*	
HIS PERSONAL CAPACITY AND,	*	
ET. ALS.	*	
	*	
DEFENDANTS	*	
	*	
* * * * *		

**URGENT SECOND MOTION REQUESTING ORDER**

**TO THE HONORABLE COURT:**

**COME NOW,** Plaintiffs through their undersigned attorney, and respectfully state and pray:

1. Trial is scheduled on November 28, 2005. Plaintiff needs to have present at the trial inmates that have been notified as witnesses in the case. In order that the inmates be release from prison for trial, plaintiff needs a writ ordering the release of the inmates for the only purpose that they could testify at the trial on November 28 and 29, 2005; and after they testify they shall be returned to prison.

2. Plaintiff hereby provides the names and last known address of each inmate that needs the order of release.

3. Plaintiff's attorney is also requesting to order the wardens, correctional employees and correctional officers to allow plaintiff's attorney to access the inmates before and during the trial, at the physical facilities in which the inmates are located, but subject to the security measures. The reason why plaintiff requests this order is so that the plaintiff could prepare her case for trial.

4. The inmates that plaintiff needs the order of release so they could testify at trial are:

- a. Felix A. Ramos Moulrier  
Institucion Bayamón #501  
Bayamón, PR
- b. Erick Diaz Davila  
Hospital de Psiquiatría Correccional  
Centro Médico  
Río Piedras, PR
- c. Carmelo Román Hernández  
Anexo 352 Penitenciaria Estatal

5. A federal court may enjoin a state officer to refrain from future actions that violate federal law or take prospective actions to comply with constitutional mandates. *Ex Parte Young*, 209 U.S. 123(1908).

6. Plaintiff also hereby attached and discloses to defendants the last known address of the inmates; marked as Exhibit A. This information was obtained on November 15, 2005.

7. At this stage plaintiff hereby informs that Edwin Rivera will not be used at the trial as a witness, because we cannot find his whereabouts.

**WHEREFORE,** Plaintiff very respectfully requests this Honorable Court to order the Secretary of the Administration of Correction, wardens and employees of the Administration of Correction, to release with the proper security measures the prisoners stated above so they could testify at trial on November 28 and 29, 2005, starting at 8:30 a.m. at the United States District Court for the District of Puerto Rico, Federal Building, Carlos Chardon Avenue, Hato Rey, P.R., Courtroom of Honorable Judge Jay A. Garcia in the case of Maria Alsina vs. Zoe Laboy, Civil number 98-1893(JAG).

**RESPECTFULLY SUBMITTED.**

**I HEREBY CERTIFY:** I hereby certify that on 16 day of November, 2005 I electronically filed the foregoing with the Clerk of the Court, using CM/ECF system which will send notification of such filing: [laaparicio@justicia.gobierno.pr](mailto:laaparicio@justicia.gobierno.pr),  
[rurorodriguez@justicia.gobierno.pr](mailto:rurorodriguez@justicia.gobierno.pr),  
[joestades@justicia.gobierno.pr](mailto:joestades@justicia.gobierno.pr), [josgonzalez@justicia.gob.pr](mailto:josgonzalez@justicia.gob.pr),  
and [lavyaparicio@yahoo.com](mailto:lavyaparicio@yahoo.com).

In San Juan, Puerto Rico, this 16 day of November, 2005.

s/ Glenn Carl James  
Glenn Carl James  
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